

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

INNOVATION SCIENCES, LLC, Plaintiff, v. AMAZON.COM, INC., et al., Defendants.	Civil Action No. 4:18-cv-00474-ALM (LEAD CONSOLIDATED CASE) JURY TRIAL DEMANDED
INNOVATION SCIENCES, LLC, Plaintiff, v. RESIDEO TECHNOLOGIES, INC., Defendant.	Civil Action No. 4:18-cv-00475-ALM
INNOVATION SCIENCES, LLC, Plaintiff, v. HTC CORPORATION, Defendant.	Civil Action No. 4:18-cv-00476-ALM
INNOVATION SCIENCES, LLC, Plaintiff, v. VECTOR SECURITY, INC., Defendant.	Civil Action No. 4:18-cv-00477-ALM

**DECLARATION OF SAINA S. SHAMILOV IN SUPPORT OF AMAZON'S
MOTIONS FOR SUMMARY JUDGMENT OF NO DIRECT INFRINGEMENT OF THE
'983, '798, AND '918 PATENTS; NO DIRECT INFRINGEMENT OF THE '443 PATENT;
AND NO INDIRECT INFRINGEMENT, NO INFRINGEMENT UNDER THE DOC-
TRINE OF EQUIVALENTS, AND NO WILLFUL INFRINGEMENT**

I, Saina S. Shamilov, hereby state and declare as follows:

1. I am a partner with at the law firm of Fenwick & West LLP, counsel for the Amazon defendants in this action. I have personal knowledge of the facts set forth herein, and if called to testify, I could and would testify competently thereto.

2. Attached as **Exhibit 1** is a true and correct copy of excerpts from the Opening Expert Report of David B. Johnson, Ph.D., served December 4, 2019 in this case.

3. Attached as **Exhibit 2** is a true and correct copy of the Expert Report of Joseph C. McAlexander III Regarding Infringement of U.S. Patent Numbers: 9,729,918; 9,912,983; 9,942,798; and 9,723,443 (“McAlexander Op. R.”) (including Attachments A, A-a, A-b, B, B-a, B-b, B-c, B-d, C, C-a, C-b, C-c, D, D-a, and Tab VV), served December 4, 2019 in this case.

4. Attached as **Exhibit 3** is a true and correct copy of excerpts from the transcript of the February 4, 2020 deposition of Joseph McAlexander.

5. Attached as **Exhibit 4** is a true and correct copy of the Non-Infringement Expert Report of David B. Johnson, Ph.D. (“Johnson Reb. R.”), served January 15, 2020 in this case.

6. Attached as **Exhibit 5** is a true and correct printout of a webpage found at URL <https://www2.meethue.com/en-us/app/bridge>, last accessed February 20, 2020.

7. Attached as **Exhibit 6** is a true and correct printout of a webpage found at URL <https://www2.meethue.com/en-au/about-hue/get-started>, last accessed February 20, 2020.

8. Attached as **Exhibit 7** is a true and correct printout of a webpage found at URL <https://www2.meethue.com/en-gb/support/app/top/how-to-create-a-hue-account-and-link-to-your-hue-bridge>, last accessed February 20, 2020.

9. Attached as **Exhibit 8** is a true and correct printout of a webpage found at URL https://www.amazon.com/gp/help/customer/display.html/ref=hp_left_v4_sib?nodeId=201749240, last accessed February 20, 2020.

10. Attached as **Exhibit 9** is a table containing excerpts of the McAlexander Opening Report. These excerpts identify portions of the report that rely on third-party products for all asserted claims of the '983 patent family.

11. Attached as **Exhibit 10** is a true and correct printout of a webpage found at URL <https://www.amazon.com/ASAKUKI-Compatible-Aromatherapy-Humidifier-Office-Better/dp/B07C2H2N67>, last accessed February 24, 2020.

12. Attached as **Exhibit 11** is a true and correct printout of a webpage found at URL <https://www.amazon.com/Petnet-SmartFeeder-Automatic-Feeder-Compatible/dp/B010QYTN2K>, last accessed February 24, 2020.

13. Attached as **Exhibit 12** is a true and correct printout of a webpage found at URL <https://www.amazon.com/Gemmy-Twerking-Christmas-Bluetooth-Plush/dp/B07D7N8P1Q>, last accessed February 24, 2020.

14. Attached as **Exhibit 13** is a true and correct printout of a webpage found at URL <https://www.digitaltrends.com/home/kohler-numi-2-intelligent-toilet-alexa-ces-2019/>, last accessed February 24, 2020.

15. Attached as **Exhibit 14** is a true and correct copy of excerpts from the transcript of the September 24, 2019, 30(b)(6) deposition of Tim Clark.

16. Attached as **Exhibit 15** is a true and correct printout of a webpage found at URL <https://developer.amazon.com/en-US/alexa/dash-services>, last accessed February 20, 2020.

17. Attached as **Exhibit 16** is a true and correct copy of excerpts from the transcript of the September 20, 2019 deposition of Eugene Laevsky.

18. Attached as **Exhibit 17** is a true and correct copy of a document produced in this case with Bates Nos. INNOV00000737-740.

19. Attached as **Exhibit 18** is a true and correct copy of excerpts of a transcript of the April 2, 2019 Oral Argument in *Virginia Innovation Sciences. v. HTC Corp. et al.*, Nos 2017-1482, 2017-1646 (Fed. Cir.).

20. Attached as **Exhibit 19** is a true and correct copy of “The Amazon Dash Button Fiasco,” PC Magazine (Apr. 8, 2015), available at <http://www.pcmag.com/article2/0,2817,2480496,00.asp>.

21. Attached as **Exhibit 20** is a true and correct copy of Plaintiff’s Supplemental Objections and Responses to Defendants’ First Set of Common Interrogatories, served January 29, 2020.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in Mountain View, California on February 25, 2020.

/s/ Saina S. Shamilov
Saina S. Shamilov